

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ADIB K. TIMBUKTU and DENNICE
MOORE,

Plaintiffs,

v.

NEAL, EDWARD A. FLYNN, OFFICER
GREGORY HUNTER, CITY OF
MILWAUKEE DEPARTMENT OF
NEIGHBORHOOD SERVICES, and
BLUNT,

ORDER

Defendants.

On February 7, 2017, the plaintiffs filed a motion asking this Court to reconsider its January 12, 2017 order. (Docket #96). The January 12 order denied the plaintiffs' motion to vacate the Clerk of the Court's bill of costs issued on December 28, 2016. (Docket #95). The motion was denied because the plaintiffs claimed indigency without evidentiary support. *See Rivera v. City of Chicago*, 469 F.3d 631, 634 (7th Cir. 2006). The motion for reconsideration attempts to provide that evidence. (Docket #96 at 1-2).

Even assuming the evidence was sufficient to show indigency, the motion for reconsideration must be denied for an additional reason identified in the Court's January 12 order. The Court explained:

[T]he plaintiffs' instant motion appears untimely, but the Court has generously addressed it as it is otherwise deficient. *See Fed. R. Civ. P. 54(d)(1)* ("The clerk may tax costs on 14 days' notice. On motion served **within the next 7 days**, the court may review the clerk's action.") (emphasis added).

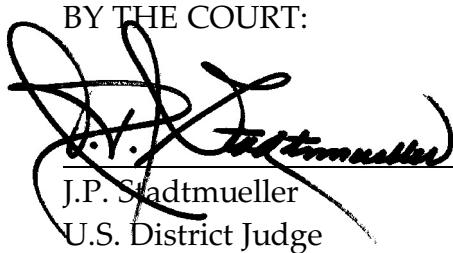
(Docket #95 at 2 n.1). The original motion to vacate was filed fourteen days after costs were taxed, and the instant motion was submitted almost a month after that. Neither motion is timely, and so the Court must deny the plaintiffs' motion for reconsideration.

Accordingly,

IT IS ORDERED that the plaintiffs' motion for reconsideration
(Docket #96) be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 9th day of February, 2017.

BY THE COURT:



A handwritten signature in black ink, appearing to read "J.P. Stadtmauer". The signature is somewhat stylized and cursive.

J.P. Stadtmauer
U.S. District Judge